

AMENDED IN ASSEMBLY FEBRUARY 21, 2006

AMENDED IN SENATE MAY 5, 2005

AMENDED IN SENATE MAY 3, 2005

SENATE BILL

No. 968

Introduced by Senator Torlakson

February 22, 2005

~~An act to amend Section 65302 of the Government Code, relating to general plans. An act to amend Section 26840.9 of the Government Code, relating to domestic violence.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 968, as amended, Torlakson. ~~Land use planning; general plans. Domestic violence: Contra Costa County.~~

~~The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the general plan.~~

~~The bill would rename the "circulation" element the "transportation" element.~~

~~Existing law provides for county domestic violence program special funds for the purpose of funding local domestic violence programs. Certain fees payable at the time a marriage license is issued may be collected by the county clerks for deposit into these funds.~~

~~Existing law requires the collection of fees for certified copies of fetal death or death records and marriage or birth certificates.~~

Existing law authorizes the board of supervisors of a county that has established a county children's trust fund to increase the fee for a certified copy of a birth certificate for purposes of the fund.

Existing law authorizes the Board of Supervisors of Contra Costa County, until January 1, 2007, to increase fees, for certified copies of marriage certificates, birth certificates, fetal death records, and death records, up to a maximum increase of \$2, and to annually increase these fees, as prescribed, and specifies that the purpose of the fee increase is to provide funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.

This bill would delete the repeal date of that authorization.

This bill would make specified legislative findings regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) Domestic violence is costly, both in human and*
- 4 *organizational terms. The results of domestic violence have many*
- 5 *"hidden" costs, such as job turnover, loss of productivity, school*
- 6 *absenteeism, and low-school performance, in addition to the high*
- 7 *cost of law enforcement, civil and criminal justice, health*
- 8 *services, mental health services, substance abuse treatment,*
- 9 *human services, and community-based services.*
- 10 *(b) Domestic violence cuts across all economic and education*
- 11 *levels, all age groups, ethnicities, and other social and*
- 12 *community characteristics. Domestic violence is characterized by*
- 13 *a predictable, escalating cycle that can result in injury or death*
- 14 *of victims, including children. Domestic violence puts children at*
- 15 *risk.*
- 16 *(c) Domestic violence is learned and generational, and*
- 17 *requires a multifaceted intervention that engages civil, criminal,*
- 18 *health, and social service sectors working together to align*
- 19 *objectives, protocols, policies, and activities of each sector.*
- 20 *(d) Contra Costa County determined that achievement of this*
- 21 *alignment requires governmental oversight and coordination of*

1 *the multiple agencies involved in the domestic violence system.*
2 *This oversight and coordination is an essential link in a*
3 *comprehensive effort to eliminate domestic violence.*

4 *(e) During the past four years, Contra Costa County has*
5 *created a successful domestic violence program. Contra Costa*
6 *County has established a coordinated data system, set up a*
7 *training program involving law enforcement, courts, health and*
8 *social service agencies, established restraining order clinics and*
9 *other victim support services and increased accountability*
10 *measures against perpetrators of domestic violence.*

11 *(f) Contra Costa County's Domestic Violence Program*
12 *successfully competed for federal funds and other grants which*
13 *have increased its ability to serve victims and prosecute*
14 *offenders.*

15 *(g) Contra Costa County is piloting numerous new domestic*
16 *violence prevention strategies, including creating an innovative*
17 *continuum of services for children exposed to domestic violence*
18 *and establishing primary prevention strategies focused on*
19 *engaging men in mentoring boys to end the cycle of abuse for*
20 *future generations.*

21 *(h) Contra Costa County has demonstrated critically needed*
22 *leadership through its Systemic Approach Model to addressing*
23 *domestic violence by integrating victim services across multiple*
24 *disciplines and by advancing public-private partnerships to*
25 *institutionalize coordination. Moreover, through its effective*
26 *centralized collaborative approach, Contra Costa County is*
27 *addressing system issues critical to California as contained in*
28 *the California Attorney General's Domestic Violence Report*
29 *"Keeping the Promise, Victim Safety and Batterer*
30 *Accountability," issued in June of 2005.*

31 *(i) The reauthorization of the fees specified in Section 26840.9*
32 *of the Government Code is essential for Contra Costa County to*
33 *continue its efforts to create an effective, proven, replicable*
34 *model that combats domestic violence, and to draw down federal*
35 *and private funds to support development of a system that will be*
36 *valuable throughout California.*

37 *SEC. 2. Section 26840.9 of the Government Code is amended*
38 *to read:*

39 *26840.9. (a) The Contra Costa County Board of Supervisors,*
40 *upon making findings and declarations for the need for*

1 governmental oversight and coordination of the multiple agencies
2 dealing with domestic violence, may authorize an increase in the
3 fees for marriage licenses and confidential marriage licenses, up
4 to a maximum increase of two dollars (\$2).

5 (b) Effective July 1 of each year, the Contra Costa County
6 Board of Supervisors may authorize an increase in these fees by
7 an amount equal to the increase in the Consumer Price Index for
8 the San Francisco metropolitan area for the preceding calendar
9 year, rounded to the nearest half-dollar. The fees shall be
10 allocated pursuant to Section 18308 of the Welfare and
11 Institutions Code.

12 (c) In addition to the fee prescribed by Section 26840.1, in
13 Contra Costa County, the person issuing authorization for the
14 performance of a marriage or confidential marriage, or the
15 county clerk upon providing a blank authorization form pursuant
16 to Part 4 (commencing with Section 500) of Division 3 of the
17 Family Code, shall collect the fees specified in subdivisions (a)
18 and (b) of this section, at the time of providing the authorization.

19 (d) The Contra Costa County Board of Supervisors shall
20 submit to the Assembly Judiciary Committee and the Senate
21 Judiciary Committee, no later than July 1, 2006, a report
22 containing the following information:

23 (1) The annual amounts of funds received and expended from
24 fee increases for the purpose of governmental oversight and
25 coordination of domestic violence prevention, intervention, and
26 prosecution efforts in the county.

27 (2) Outcomes achieved as a result of the activities associated
28 with the Zero Tolerance for Domestic Violence Act.

29 ~~(e) This section shall remain in effect only until January 1,~~
30 ~~2007, and as of that date is repealed, unless a later enacted statute~~
31 ~~deletes or extends that date.~~

32 *SEC. 3. Due to the unique circumstances of the County of*
33 *Contra Costa with respect to domestic violence, the Legislature*
34 *hereby finds and declares that a general statute cannot be made*
35 *applicable within the meaning of Section 16 of Article IV of the*
36 *California Constitution.*

37 *Therefore, the special legislation contained in Section 2 of this*
38 *act is necessarily applicable only in the County of Contra Costa.*

39 ~~SECTION 1. Section 65302 of the Government Code is~~
40 ~~amended to read:~~

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**All matter omitted in this version of the bill
appears in the bill as amended in the
Senate, May 5, 2005. (JR11)**

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